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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/491,581	01/25/2000	Shigeto Igarashi	2811	8717

7590 03/13/2002

Law Office of David O'Reilly
1800 Bridgegate Street
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Westlake Village, CA 91361

EXAMINER

VU, NGOC YEN T

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 03/13/2002

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/491,581

Applicant(s)

Shigetō IGARASHI

Examiner

Ngoc-Yen VU

Art Unit

2612



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jan 25, 2000
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirements.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 1, 4 20) ☐ Other: _____

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Information Disclosure Statement

1. The information disclosure statements, paper No. 2 and 4 filed on 06/02/2000 and 05/17/2001, have been placed in the application file, and the information referred to therein has been considered as to the merits.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

4. Claims 1, 4 and 14-16 are objected to because of the following informalities:

Claim 1: the term "amplification of the degree" and "the amplification degree" have been interchangeable used. It is suggested that a common term to be used.

Claim 4: line 4, change "the output voltage" to --the **video** output voltage--.

Claim 14: line 3, change "of an automatic gain" to --**and** an automatic gain--.

Claim 15: line 2, insert --**an**-- before "existing AGC amplifier"

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Claim 16: line 3, insert --a-- before "signal level output voltage--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1, 4-7 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the video output voltage" and "the processing circuit" in lines 5 and 6, respectively. There is no antecedent basis for these limitations in the claim.

Claim 4 recites the limitation "the signal level" in line 4. There is no antecedent basis for this limitation in the claim.

Claim 5 recites the limitation "the output voltage" and "the signal level" in line 4. There is no antecedent basis for these limitations in the claim.

Claim 6 recites the limitation "the output voltage" and "the signal level" in line 4. There is no antecedent basis for these limitations in the claim.

Claim 7 recites the limitation "the video output voltage" in lines 5-6. There is no antecedent basis for this limitation in the claim.

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Claim 13 recites the limitation "the video output voltage" in line 4. There is no antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 4, 7 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Aoyagi et al. (US #5,652,925).

Regarding claim 1, Aoyagi '925 teaches a signal amplifying circuit for a CCD camera comprising an auxiliary amplifying circuit (AMP 4 and gain switching component 5) m, the amplification degree of the auxiliary amplifying circuit being raised according to necessity so as to maintain a video output voltage at a predetermined voltage and vary the amplification degree of the processing circuit to broaden the range for photographing (col. 5 line 11 - col. 7 line 18).

As to claim 4, Aoyagi teaches a detecting means (accumulation time interval calculating component 6) to detect a change of object illumination, and detecting the video output voltage in the signal amplifying process (col. 5 line 11 - col. 7 line 18).

Regarding claim 7, Aoyagi '925 teaches a signal amplifying circuit for a CCD camera comprising an auxiliary amplifying circuit (AMP 4 and gain switching component 5) m, said

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auxiliary amplifying circuit constructed to increase the amplification during low light levels to maintain a video output voltage at a predetermined voltage, and vary the amplification degree of the processing circuit to broaden the range for photographing (col. 5 line 11 - col. 7 line 18).

Regarding claim 13, it is a method claim corresponding to the apparatus claim 1.

Therefore, claim 13 is analyzed and rejected as previously discussed with respect to claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2-3, 5-6, 8-12 and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoyagi et al. (US #5,652,925) in view of Kondo et al. (US #5,053,877).

Regarding claims 2-3, Aoyagi '925 teaches a signal amplifying circuit for a CCD camera comprising an auxiliary amplifying circuit (AMP 4 and gain switching component 5) m, the amplification degree of the auxiliary amplifying circuit being raised according to necessity so as to maintain a video output voltage at a predetermined voltage and vary the amplification degree of the processing circuit to broaden the range for photographing (col. 5 line 11 - col. 7 line 18).

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Claims 2 and 3 differ from Aoyagi in that the claims further require two AGC circuits each having high/low S/N ratio and low/high amplification degree, respectively, and a switch for switching between the AGC circuits. The limitation is well known in the art as shown in Kondo. In the same field of endeavor, Kondo '877 teaches an AGC circuit for use in an electronic CCD camera comprising an automatic gain control circuit (5), and a switch (32) for switching between low amplification degree and high amplification degree for the AGC (5) (col. 5 line 35 - col. 8 line 50). In light of the teaching from Kondo, it would have been obvious to one of ordinary skill in the art to modify the signal amplifying and processing circuit taught in Aoyagi by providing two AGC circuits having low and high amplification degree so as to allow the signal amplifying and processing circuit to selectively amplify the signal level providing high quality image signals.

As to claims 5-6, Aoyagi teaches a detecting means (accumulation time interval calculating component 6) to detect a change of object illumination, and detecting the video output voltage in the signal amplifying process (col. 5 line 11 - col. 7 line 18).

As to claims 8-9, the subject matter in these claims can be found in claims 2-3.

As to claims 10-12, the subject matter in these claims can be found in claims 5-6.

As to claims 14-15, the subject matter in these claims can be found in claims 2-3.

As to claim 16, the subject matter in these claims can be found in claim 5.

Conclusion

8. Any response to this office action should be mailed to:

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Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications intended for entry)

(for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA.,
Sixth Floor (Receptionist).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Ngoc-Yen Vu** whose telephone number is (703) 305-4946. The examiner can normally be reached on Mon - Fri from 8 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wendy Garber**, can be reached on (703) 305-4929.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is (703) 306-0377.

NYV
03/10/2002


Ngoc-Yen Vu
Patent Examiner
Group Art Unit 2612